

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

CASE NO. 22-CR-80173-CANNON

UNITED STATES OF AMERICA,

Plaintiff,

vs.

WILLIAM SPEARMAN,

Defendant.

/

RENEWED MOTION TO CONTINUE SENTENCING HEARING

COMES NOW, the Defendant, WILLIAM SPEARMAN, by and through the undersigned counsel, and renews his request this Court continue the sentencing hearing currently scheduled for December 13, 2023. As grounds, he states:

1. The Court scheduled this matter for a sentencing hearing on December 13, 2023 at 9:30 a.m.
2. On Friday, December 8, 2023, this Court denied Mr. Spearman's Motion to Continue Sentencing. In that motion, Mr. Spearman articulated heart-related health concerns and the expected scheduling of medical procedures to address those concerns as a basis for his continuance request.
3. Following the denial of that motion, undersigned counsel received correspondence from Dr. Amy Swan advising she had been hospitalized following a fall. Dr. Swan is the forensic psychologist the defense intends to call at sentencing to present mitigation evidence.

4. Dr. Swan had surgery to repair a “left volar avulsion” on Friday afternoon and was discharged from the hospital on Saturday. She remains on pain medication with doctor’s instructions to limit movement. She has also been instructed not to drive.
5. Dr. Swan expects her recovery to take approximately one to two weeks.
6. AUSA Greg Schiller has advised the government does not object to this request.

WHEREFORE Defendant respectfully requests the Court to grant the above-styled motion.

Respectfully submitted,

MICHAEL CARUSO
FEDERAL PUBLIC DEFENDER

s/ Scott Berry
Scott Berry
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CERTIFICATE OF SERVICE

I HEREBY certify that on December 11, 2023, I electronically filed the foregoing document with the Clerk of the Court using CM/ECF. I also certify that the foregoing document is being served this day on all counsel of record or *pro se* parties identified on the attached Service List in the manner specified, either via transmission of Notices of Electronic Filing generated by CM/ECF or in some other authorized manner for those counsel or parties who are not authorized to receive electronically Notices of Electronic Filing.

By: s/Scott Berry
Scott Berry